

REMARKS

Claims 1-19 are pending in this application. By this Amendment, claims 1, 2, 11, 12, 14 and 15 are amended. These amendments introduce no new matter because they are supported by at least paragraph [0032] of the specification, as originally filed. A Request for Continued Examination is attached. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Nguyen in the October 11, 2005 telephone interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

I. Formal Matters

The Office Action, in paragraph 3, indicates that the Examiner views the drawings that were filed with the March 24, 2005 Amendment as informal and "acceptable for examining purposes." Applicants respectfully submit that these five sheets of drawings (Figs. 1-5) are formal drawings that meet all the requirements of 37 C.F.R. §1.84. As such, Applicants respectfully request acknowledgement of acceptance of the formal drawings in any next correspondence to issue regarding this application.

II. The Claims Recite Patentable Subject Matter

The Office Action, in paragraph 4, rejects claims 1-19 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,115,656 to Sudolsky. This rejection is respectfully traversed.

At the outset, Applicants again respectfully note that Sudolsky is discussed in the background section under a description of related art in this application (see paragraph [0005]). The subject matter recited in claims 1-19 is intended to overcome shortfalls of systems and methods such as those taught by Sudolsky.

Sudolsky teaches a method for recording and reporting fault information pertaining to various components of an aircraft, the method involving recording information output from

various components of the aircraft onto an electronic medium (Abstract). The electronic medium is removed from the aircraft after landing and read by an appropriate apparatus (Abstract, emphasis added). Specifically, Sudolsky discloses that the method involved using a mass storage device such as an optical quick access recorder from which the electronic medium can be easily removed (col. 6, lines 16-18). The electronic medium in Sudolsky monitors and records output signals from various components of an aircraft in real time (col. 6, lines 20-23). An optical storage disk is removed from the optical quick access recorder and transported to an appropriate optical disk reader associated with a personal computer after a mission flight is accomplished. As such, Applicants respectfully submit that while the monitoring function of the method disclosed in Sudolsky may occur in real time, the analysis (diagnosing and reporting) functions do not occur in real time. These are accomplished by a separate device apart from the aircraft after a specific flight and/or mission is completed (see generally col. 6, lines 27-38). As noted in paragraph [0005] of the specification, the invention in Sudolsky relies on expensive, proprietary equipment that is permanently installed on the aircraft, and that requires an extensive certification process to be undertaken due to its permanent installation. Also, the system may require a highly-skilled maintenance crew to board the aircraft after the flight and download the recorded LRU fault information.

Claim 1 recites a system for monitoring, reporting and diagnosing fault information of a vehicle on a real-time basis both within the vehicle and outside the vehicle, comprising ... a portable hardware component that is removable from the vehicle and that uses at least one of information fusion or onboard reasoning processing to provide at least one of diagnosis, prognosis, isolation or vehicle component identification associated with the recorded fault information. Claim 11 recites, among other features, a method for monitoring, reporting and diagnosing fault information of a vehicle on a real-time basis both within the vehicle and outside the vehicle, comprising ... diagnosing the fault information with the portable hardware

component using at least one of information fusion or onboard reasoning processing to provide at least one of diagnosis, prognosis, isolation or vehicle component identification associated with the recorded fault information. According to these claims, it is the portable hardware component that accomplishes the real-time analysis and/or diagnoses of the fault information. Sudolsky makes no provision for such a feature and the alleged portable hardware of Sudolsky, i.e., an optical disc, cannot be reasonably considered to teach, or to have suggested, such a feature.

Separately, claims 4-7, 16 and 17 positively recite that the portable hardware component comprises an Electronic Flight Bag with an associated suite of applications for performing the real-time monitoring and analysis. Sudolsky, contrary to the assertions made in the Office Action specifically regarding claims 4, and 16, claims 5, and 17, claims 6, and 14, and claims 7, 9, 13, 15 and 18, neither teaches, nor can it reasonably be considered to have suggested, employment of an Electronic Flight Bag as the portable hardware component.

For at least these reasons, Applicants respectfully submit that Sudolsky cannot reasonably be considered to teach, or even to have suggested, the combinations of all of the features recited in at least claims 1, 4-7, 11, 16 and 17. Further, claims 2, 3, 8-10, 12-15, 18 and 19 are also neither taught, nor would they have been suggested, by Sudolsky for at least the respective dependence of these claims on independent claims 1 and 11, as well as for the separately patentable subject matter which each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejection of claims 1-19 under 35 U.S.C. §102(b) as being anticipated by Sudolsky are respectfully requested.

III. Conclusion

Applicants' representative reviewed the specific rejections enumerated in the Office Action with Examiner Nguyen during the October 11, 2005 telephone interview. Specifically, Applicants' representative pointed out that the portable hardware component that is the subject matter of these claims cannot reasonably be considered to be taught, or to have been suggested,

by the optical disk, removable after flight for further analysis, of Sudolsky, as is alleged in the Office Action. The Examiner indicated that he was very broadly construing the term "portable hardware component" to include, for example, the optical disk disclosed in Sudolsky.

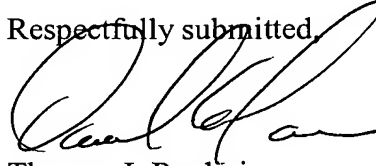
Applicants' representative strongly traversed the Examiner's contention in this regard. Examiner Nguyen remained unpersuaded. Applicants amend independent claims 1 and 11, in view of the Examiner's interpretation, to better clarify the feature of the portable hardware component recited in the claims.

Applicants' representative further discussed with Examiner Nguyen the feature "a data transmitting device" for transmitting information in real time between the vehicle and at least one remote receiver location. Examiner Nguyen asserted that he could broadly construe the fact that all aircraft are inherently equipped with radios by which a pilot, alerted to fault information, could relay information regarding faults to a remote location, to suggest the data transmitting device recited, for example, in claim 1. In view of this broad interpretation, Applicants amend this feature as well to better clarify the subject matter recited in the claims.

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-19 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Request for Continued Examination

TJP:DAT/cfr

Date: November 3, 2005

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